

DECISION

**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

PH-I
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FILE: B-216672, B-216673 **DATE:** November 6, 1984

MATTER OF: Omega World Travel, Inc.

DIGEST:

Protest is dismissed where material issues are before court of competent jurisdiction, judicial relief pending decision by this Office has not been requested, and the court has not expressed interest in receiving GAO's views.

On October 3, 1984, Omega World Travel, Inc. (Omega), protested various awards under solicitation No. WFCG-E3-N-1137-8-1-84, issued by the General Services Administration for arrangement of passenger transportation for various agencies.

On October 16, 1984, Omega filed an action in the United States District Court for the District of Columbia (Civil Action No. 84-3190, Omega World Travel, Inc. v. Ray Kline et al.) requesting a temporary restraining order, preliminary injunction and permanent relief on a number of awards under the same solicitation, including those protested to this Office.

The court's resolution of the issues before it will control the resolution of the protests since the issues are the same. It is our Office's policy not to consider protests where the material issues are before a court of competent jurisdiction unless the court requests, expects or otherwise expresses an interest in our decision. Omega has not requested judicial relief pending a decision by our Office and the court, having denied the request for temporary restraining order, has indicated no interest in our decision.

The protest is dismissed. Harris Data Communications, B-210521, Mar. 22, 1983, 83-1 C.P.D. ¶ 291.

Harry R. Van Cleve
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General Counsel

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